

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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AUG 27 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
)
Amargosa Valley, Nevada)

RM -

TO: Chief, Mass Media Bureau

DOCKET FILE COPY ORIGINAL

PETITION FOR RULE MAKING

Amargosa Valley Broadcasters, by its attorneys, hereby submits its Petition for Rule Making, requesting that the Commission amend Section 73.202(b) of its Rules and allot FM Channel 266A (101.1 MHz) to Amargosa Valley Nevada, as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Amargosa Valley, NV	--	266A

Amargosa Valley, Nevada, is a community identified in the Rand McNally Road Atlas and Rand McNally Commercial Atlas. With a permanent population in excess of 1,100 persons, it contains two operating industrial mills and two casinos in addition to the post office, stores, churches, restaurants and motels characteristic of smaller communities in the region. The residents function and perceive themselves as a community, as evidenced by the Amargosa Valley Town Advisory Board, the Amargosa Valley Chamber of Commerce and the Amargosa Valley Improvement Association. Local services are provided by the Amargosa Valley Volunteer Fire Department, the Amargosa Valley

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Ambulance Service, the Amargosa Valley Medical Clinic and the Amargosa Valley Library. Amargosa Elementary School serves over 200 students from grades kindergarten through 8. The proposed allotment will provide Amargosa Valley with its first local outlet.¹

The attached Engineering Statement of petitioner's consulting engineer, Lawrence L. Morton Associates, demonstrates that Channel 266A may be allotted to Amargosa Valley consistent with all pertinent Commission regulations. Amargosa Valley Broadcasters represents that, in the event the Commission assigns Channel 266A to Amargosa Valley, it will promptly file an application for a permit to construct a new broadcast station to operate on that channel and will promptly construct and operate such station upon grant of its application.

Accordingly, Amargosa Valley Broadcasters submits that the instant Petition for Rule Making should be granted.

Respectfully submitted,

AMARGOSA VALLEY BROADCASTERS

By: 
Eric S. Kravetz

Brown Nietert & Kaufman
Chartered
1920 N Street, N.W., Suite 660
Washington, D.C. 20036

August 7, 1996

Its Attorneys

ask\amargosa.pet

¹The nearest community with its own radio station is Pahrump, Nevada, which lies over 40 miles away.

**FCC
Filing
Original**

**ENGINEERING STATEMENT
IN SUPPORT OF
PETITION FOR RULE MAKING**

August 2, 1996

Amargosa Valley Broadcasters
FM Channel 266A □ 101.1 Megahertz
Amargosa Valley, Nevada



LAWRENCE L. MORTON ASSOCIATES
1231 MESA OAKS LANE
MESA OAKS, CALIFORNIA 93436-2309
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ENGINEERING STATEMENT

The information and data contained within this engineering statement were prepared on behalf of Amargosa Valley Broadcasters in support of a petition for rule making. The petitioner proposes to amend the FM Table of Allotments, 47 C.F.R. § 73.202(b) of the Commission's Rules, by adding Channel 266A at Amargosa Valley, Nevada.

I. AMARGOSA VALLEY, NEVADA

Amargosa Valley township is a community located at the southwestern edge of Nye County, along the common border between Nevada and California. Amargosa Valley had a 1990 U.S. Census population of 761 persons, and presently is experiencing accelerated growth. It is estimated by the Nye County Commissioner's Office that the fourth quarter 1994 population of Amargosa Valley has grown to 1,143 persons, or an increase of 50% in just four years.

Amargosa Valley was not listed in the 1980 U.S. Census, but is encompassed by the Amargosa Valley Division in the 1990 U.S. Census. Nye County had a 1980 U.S. Census population of 9,048 and a 1990 Census population of 17,781. This equates to a countywide increase of over 96% in one decade. Amargosa Valley has been assigned Postal ZIP Code 89020 by the U.S. Postal Service. Currently, Amargosa Valley has no other AM or FM broadcast facilities or vacant allotments.

The Census Bureau centroid geographical coordinates of Amargosa Valley, referenced to the North American Datum of 1927, are:

North Latitude: 36 degrees, 34 minutes, 48 seconds

West Longitude: 116 degrees, 26 minutes, 42 seconds

From these Amargosa Valley centroid coordinates, Channel 266A is fully-spaced to all FCC assignments, allotments and proposals contained within the latest **FCC FM Engineering Database**. Figures one through three show the relative locations of Nye County within the State of Nevada, and of Amargosa Valley within Nye County. Also shown on figure three are the locations of the 1990 U.S. Census block centroids.

II. MINIMUM SPACING REQUIREMENTS

The following table shows a listing of the nearest licensed facilities and allocations currently on file with the required distance separations for Channel 266A. For clarity, facilities that are greater than 350 kilometers beyond the minimum required separations are not shown.

As required by § 73.207 all minimum distance separation requirements are met from the Channel 266A allotment reference site proposed for Amargosa Valley. All distances were computed by the methods outlined in § 73.208(c) of the Commission's Rules and were rounded to the nearest kilometer in accordance with § 73.208(c)(8).

ALLOCATION-PERTINENT STATIONS AND SPACING REQUIREMENTS OF § 73.207					
CALL LETTERS	CHANNEL /CLASS	NORTH LATITUDE	WEST LONGITUDE	ACTUAL DISTANCE	REQUIRED DISTANCE
KFNO	212-B	37° 04' 26"	119° 25' 52"	272. Km	15. Km
KUFW	213-B	36° 17' 09"	118° 50' 15"	217	15
KILA	213-C	36° 00' 29"	115° 00' 20"	144	29
KMZQ-FM	263-C	36° 00' 28"	115° 00' 20"	144	95
KOJJ	263-B1	35° 56' 45"	118° 53' 10"	230	48
KOJJ	263-A	36° 04' 42"	118° 58' 45"	234	31
KATJ	264-A	34° 36' 38"	117° 17' 18"	231	31
KIBS	264-B	37° 25' 00"	118° 11' 00"	180	69
PRM	265-A	35° 22' 24"	117° 38' 06"	172	72
KBBC	266-C3	34° 39' 28"	114° 20' 42"	286	142
KONY-FM	266-C1	36° 43' 18"	112° 12' 57"	378	200
KRBT	266-B	36° 55' 48"	119° 38' 27"	288	178
KATY-FM	267-A	33° 43' 31"	116° 44' 58"	318	72
KRNG	267-C2	39° 42' 30"	119° 10' 16"	422	106
KSTT-FM	267-B	35° 21' 37"	120° 39' 17"	402	113
KIXF	268-B	35° 26' 10"	115° 55' 25"	135	69
ALLOC	269-C3	39° 15' 52"	114° 53' 35"	328	42
KXSB	269-A	34° 12' 47"	116° 51' 59"	265	31

III. CONCLUSIONS

The results of this study demonstrate that the FM Table of Allotments in § 73.202(b) of the Commission's Rules may be amended in technical compliance with all applicable spacing rules. Therefore, the Petitioner, Amargosa Valley Broadcasters, respectfully requests the following addition to the Table:

PRESENT

CITY

Amargosa Valley, Nevada

CHANNEL

PROPOSED

CITY

Amargosa Valley, Nevada

CHANNEL

266A

The petitioner asserts that, upon allotment of Channel 266A to Amargosa Valley and the opening of a filing window, an application for construction permit will be filed promptly to build a new Class A facility to serve Amargosa Valley, Nevada.

Respectfully Submitted

**Lawrence L. Morton, P.E.
Consulting Engineer to the Petitioner
August 2, 1996**

Lambert Azimuthal Equal-Area

2° 00' 00" Graticule Spacing

Nye County

AMARGOSA VALLEY

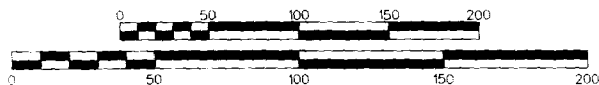
CENTER OF MAP:

N LAT 38° 30' 21.00"
W LON 116° 49' 49.00"

Scale 1 : 4,218,100

FIGURE 1
COUNTY OF NYE
STATE OF NEVADA
AMARGOSA VALLEY BROADCASTERS

KILOMETERS



STATUTE MILES



LAWRENCE L. MORTON ASSOCIATES
Telecommunications Engineers
Mesa Oaks, California

1° 00' 00" Graticule Spacing

con. in valley

nowhere.

GABBS

Nye County

Tonopah

DISCUSSION

West Bishop

Big Pine

o Auberry

Beatty

FIGURE 2
TOWNSHIP OF AMARGOSA VALLEY
COUNTY OF NYE
AMARGOSA VALLEY BROADCASTERS

Scale 1 : 1,900,800

KILOMETERS

AMARGOSA VALLEY

Indian Springs

Monapa Valley

Pahrump

LAS VEGAS

• **Sunrise Manor**

Paradise

HENDERSON

Enterprise

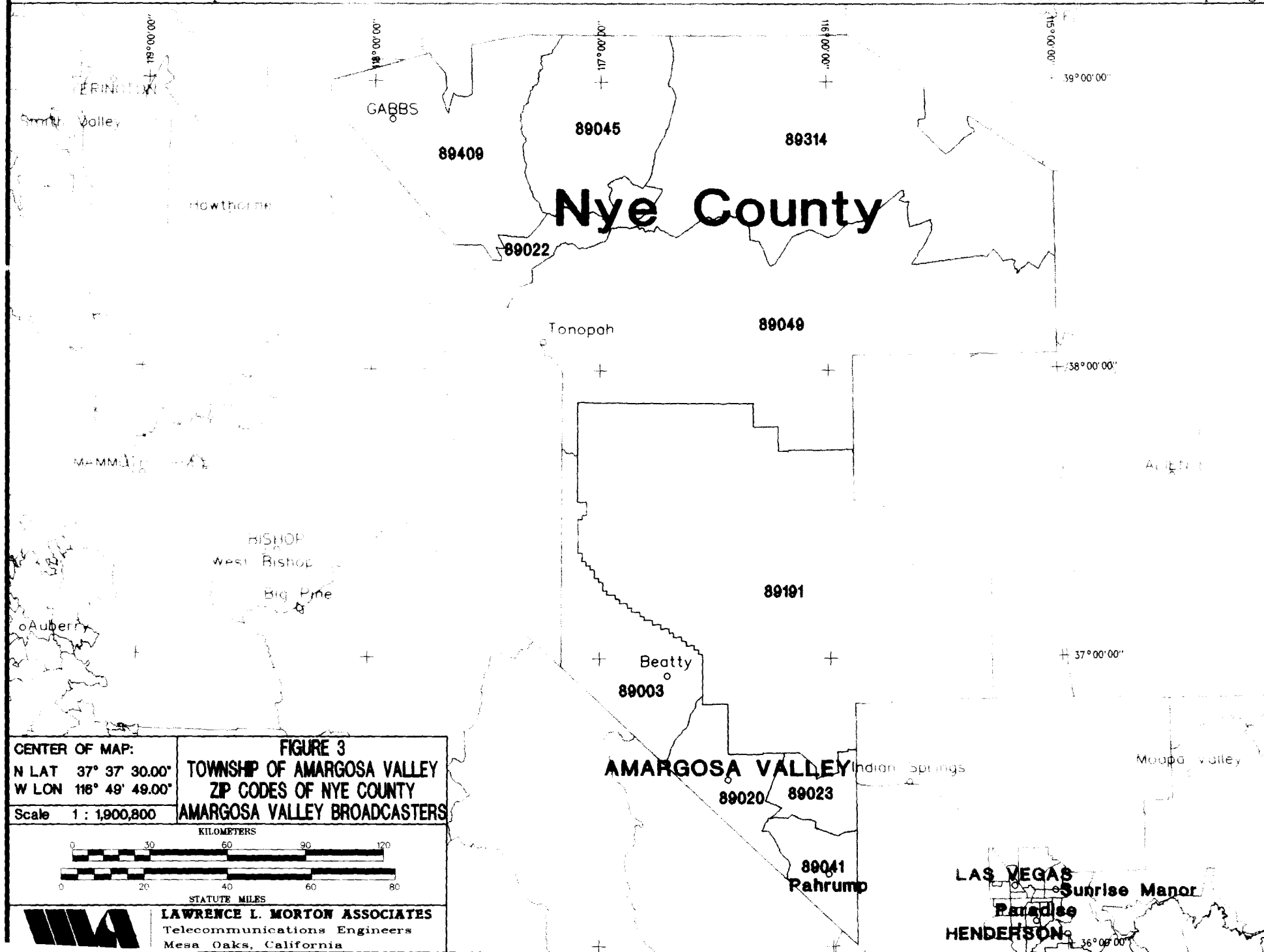
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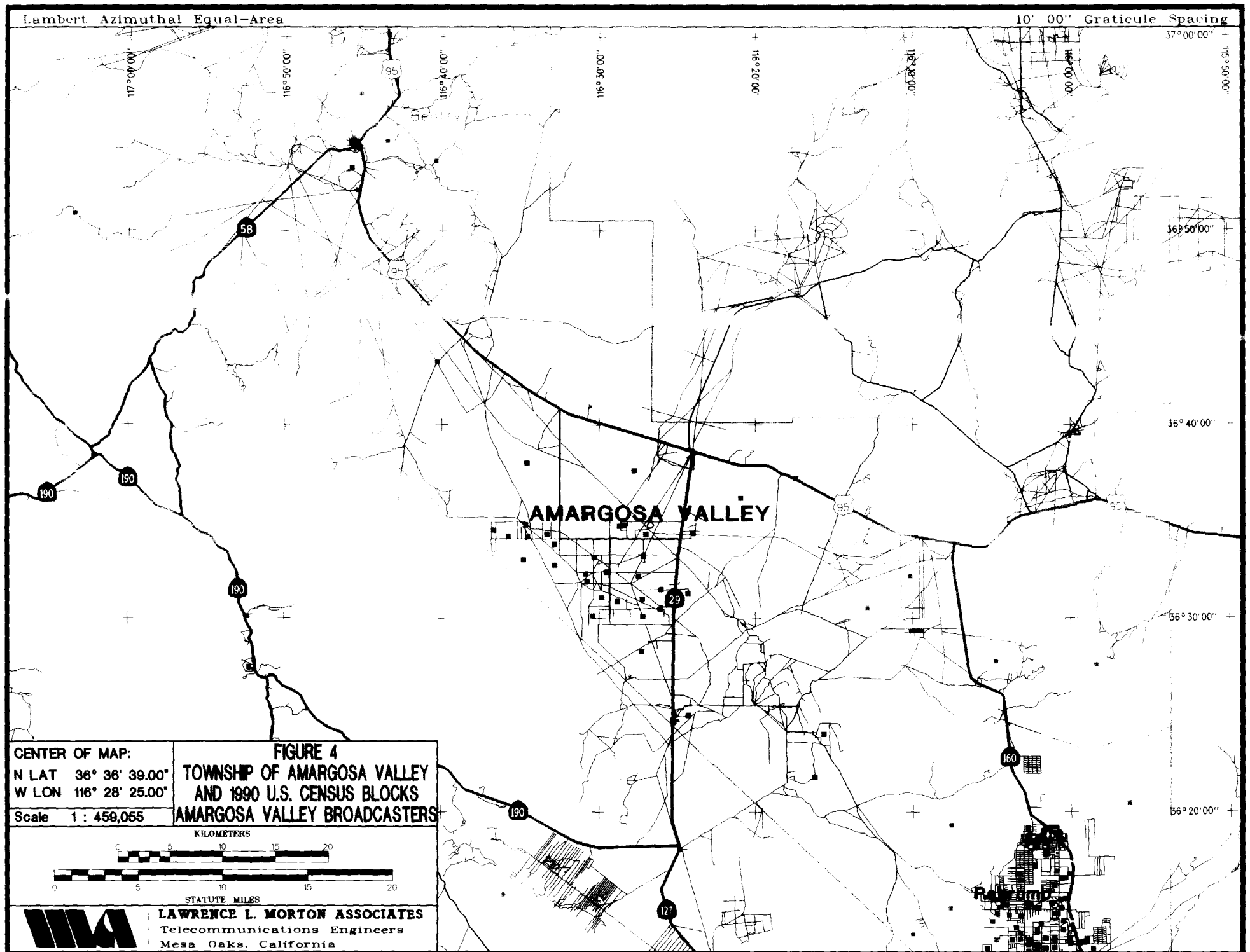


LAWRENCE L. MORTON ASSOCIATES
Telecommunications Engineers
Mesa Oaks, California

Lambert Azimuthal Equal-Area

1° 00' 00" Graticule Spacing





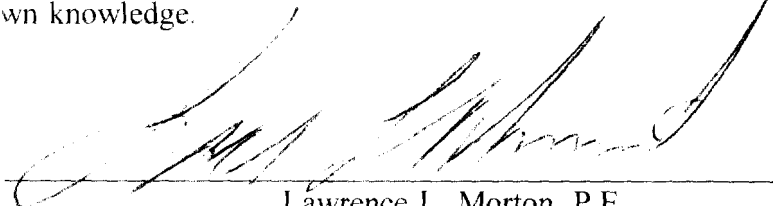
AFFIDAVIT

State of California)
) ss:
County of Orange)

Lawrence L. Morton, being first duly sworn upon oath, deposes and says:

- That he is a qualified engineer,
- That he is a Registered Professional Engineer in the State of California,
- That he is a member of the Association of Federal Communications Consulting Engineers,
- That his qualifications are a matter of record with the Federal Communications Commission,
- That he has prepared many broadcast applications and engineering exhibits that have been filed with and granted by the Federal Communications Commission,
- That he has carried out such engineering work and that the results thereof are attached hereto and form part of this affidavit, and
- That the foregoing statement and the report regarding the aforementioned engineering work are true and correct of his own knowledge.

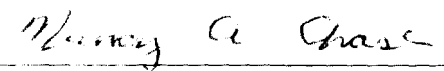
Date: August 2, 1996



Lawrence L. Morton, P.E.

On August 2, 1996, before me, Nancy A. Chase, a Notary Public, in and for the State of California, personally appeared Lawrence L. Morton known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

My Commission expires 11/30/96



Notary Public

